

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Delos M. Cosgrove, et al. CASE NO.: 100344-005 US CON 1  
SERIAL NO: -- GROUP ART UNIT: 3731  
FILING DATE: November 3, 1999 EXAMINER: W. Lewis  
INVENTION: "Surgical Device with Malleable Shaft"

JC675 U.S. PRO  
09/432523  
11/03/99

I hereby certify that this paper (together with any document referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on November 3, 1999 and is addressed to Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 Express Mail No. EJ241995903US.

  
Julie A. Montgomery

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

SIR:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. This Information Disclosure Statement is submitted:

- [X] Within three months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)
- [ ] After the mailing date of a first Office Action but before (1) mailing of a final action under 37 C.F.R. §1.113; or (2) mailing of a notice of allowance under §1.311, whichever occurs first.  
[ ] Payment of the fee set forth in 37 C.F.R. §1.17(p) accompanies this submission; or  
[ ] The certification specified in 37 C.F.R. §1.97(e) is made below. (No fee is required.)
- [ ] After the mailing of (1) a final action under 37 C.F.R. §1.113; or (2) notice of allowance under 37 C.F.R. §1.311 whichever occurs first, but before payment of the issue fee. The certification specified in 37 C.F.R. §1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying this submission. Payment for the Petition fee set forth in 37 C.F.R. §1.17(i)(1) accompanies this submission.
- [ ] The undersigned counsel for applicant(s) hereby certifies each item of information identified in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- [ ] The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the statement.
- [ ] A check in the amount of \$\_\_\_\_\_ to cover any required fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-0387. *A duplicate copy of this sheet is enclosed for this purpose.*

Very respectfully,  
  
John W. Cornell, Reg. No. 30,619  
D'Ancona & Pflaum LLC  
111 E. Wacker Drive, Ste. 2800  
Chicago, Illinois 60601  
Telephone: (312) 602-2641

(Reg. No. 30,619)

When phoning re this application,  
please call (312) 602-2641.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Delos M. Cosgrove, et al.**

Atty Ref.: **100344-005 US CON 1**

Serial No.: --

Examiner: **W. Lewis**

Filed: **November 3, 1999**

Group Art Unit: **3731**

For: **Surgical Device with Malleable Shaft**

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**CERTIFICATE OF EXPRESS MAILING**

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\_\_\_\_\_  
November 3, 1999

Date

  
Julie Montgomery

A Utility Continuation of:

U.S. Serial No.:

08/936,394

Filed:

September 25, 1997

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

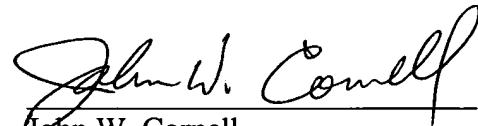
Sir:

In accordance with the provisions of 37 CFR §1.56, Applicants request that citation and examination of the references identified on the attached PTO-1449 form, copies of which in accordance with 37 CFR §1.98, may be found in the parent application file, Serial No. 08/936,394 be made during the course of examination of the above-mentioned application for U.S. patent. Since a first Office Action on the merits has not been mailed for this application, no fees are required for submission of this statement. If, however, any fees are due and owing in view of this communication, please charge Deposit Account No. 50-0387. A duplicate of this sheet is enclosed for this purpose.

Early and favorable action in this application is respectfully requested.

Dated: November 3, 1999

Respectfully submitted,



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